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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,005	12/27/2000	Kyle Peltonen	13768.162	6416

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EXAMINER

NGUYEN, CINDY

ART UNIT PAPER NUMBER

2171

DATE MAILED: 10/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/749,005

Applicant(s)

PELTONEN ET AL. 

Examiner

Cindy Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is in response to application filed on December 27, 2000 in which claims 1-32 are presented for examination.

1. Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-6, 8, 10, 23-29 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Gilmour et al. (U.S. 6115709) (Gilmour).

Regarding claim 1, Gilmour disclose: in a system including a data store (23, fig. 1 and corresponding text, Gilmour), wherein the data store is indexed by a content index using terms (22, fig. 1 and corresponding text, Gilmour), a method for searching a search of the data store (col. 8, lines 16-28, Gilmour), wherein the search includes one or more terms (45 A, 45B, 45C, fig. 2 and corresponding text, Gilmour), the method comprising:

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An act of including an identifier in the content index (50, fig. 3 and corresponding text, Gilmour), wherein the identifier is implicitly included in the search (col. 11, lines 49-55, Gilmour);

An act of identifying a first list of document identifiers with the one or more terms from the content index (100, fig. 6 and corresponding text, Gilmour);

An act of identifying a second list of document identifiers with the identifier from the content index (106, fig. 6 and corresponding text, Gilmour); and

An act of comparing the second list of document identifiers with the first list of document identifiers to identify a subset of document identifiers that satisfy the search (51, fig. 3 and corresponding text, Gilmour).

Regarding claim 2, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Gilmour disclose: wherein the act of including an identifier in the context index further comprises an act of building the content index (col. 9, lines 51-58, Gilmour).

Regarding claims 3 and 29, all the limitations of these claims have been noted in the rejection of claims 1 and 23, respectively. In addition, Gilmour disclose: further comprising an act of returning the subset of document identifier (col. 10, lines 25-31, Gilmour).

Regarding claims 4 and 24, all the limitations of these claims have been noted in the rejection of claims 1 and 23, respectively. In addition, Gilmour disclose: wherein the act of comparing the second list of document identifiers with the first list of document identifiers

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further comprises an act of restricting the search based on the identifier (col. 18, lines 2-6, Gilmour).

Regarding claim 5, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Gilmour disclose: wherein the identifier is a folder identifier (col. 23, lines 5-9, Gilmour).

Regarding claim 6, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Gilmour disclose: wherein the identifier is unique across the content index (col. 9, lines 35-39, Gilmour).

Regarding claims 8 and 25, all the limitations of these claims have been noted in the rejection of claims 1 and 23, respectively. In addition, Gilmour disclose: wherein the act of comparing the second list of document identifiers with the first list of document identifiers further comprises an act of intersecting the second list of document identifier with the first list of document identifiers to identify the subset of document identifiers (col. 20, lines 42-46, Gilmour).

Regarding claims 10 and 27, all the limitations of these claims have been noted in the rejection of claims 1 and 23, respectively. In addition, Gilmour disclose: wherein the act of refraining from comparing the second list of document identifiers with the first list of document

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identifiers when processing only the first list of document identifiers is more efficient (col. 20, lines 47-55, Gilmour).

Regarding claim 23, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Gilmour disclose: wherein the one or more identifiers identify the one or more mailboxes (25, fig. 1 and corresponding text, Gilmour);

Including a root folder identifier in the search, the root folder identifier included in the one or more identifiers (col. 11, lines 56-60, Gilmour);

Generating a subset list of document identifiers by removing document identifiers from the first list of document identifiers that do not match document identifiers in the second list of document identifiers (col. 6, lines 10-29, Gilmour).

Regarding claim 26, all the limitations of this claim have been noted in the rejection of claim 23, respectively. In addition, Gilmour disclose: wherein the act of focusing the first list of document identifiers further comprises an act of identifying matching document identifiers from the first list of document identifiers and the second list of document identifiers, wherein the matching document identifiers are included in the subset list of document identifiers (col. 6, lines 10-14, Gilmour).

Regarding claim 28, all the limitations of this claim have been noted in the rejection of claim 27. In addition, Gilmour disclose: further comprising a step for accessing a property store for the first list of document identifiers (82, Fig. 5 and corresponding text, Gilmour).

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Regarding claim 32, all the limitations of this claim have been noted in the rejection of claim 23. In addition, Gilmour disclose a computer readable medium (615, Fig. 23 and corresponding text, Gilmour) having computer executable instructions for performing the acts (620, Fig. 23 and corresponding text, Gilmour).

3. *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7, 9, 11-22, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilmour et al. (U.S. 6115709) (Gilmour) in view of Legh-Smith et al (U.S 6178419) (Legh).

Regarding claims 7, 17, 31 and 30, all the limitations of these claims have been noted in the rejection of claims 1, 11 and 23, respectively. However, Gilmour didn't disclose: wherein the identifier is a Uniform Resource Locator. On the other hand, Legh disclose: wherein the identifier is a Uniform Resource Locator (240, fig. 2 and corresponding text, Legh). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include Uniform Resource Locators in the system of Gilmour as taught by Legh. The motivation being to enable the user to focus on searching data and having the results in short time.

Regarding claim 11, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Gilmour/Legh disclose: an act of including one or more scope restrictions in the context index when the search engine indexes the data (210, fig. 3 and corresponding text, Legh), wherein the one or more scope restrictions are non-text (col. 6, lines 64-67, Legh)

An act of adding a scope restriction to the search the scope restriction included in the one or more scope restrictions (col. 10, lines 3-14, Legh). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include scope restrictions in the context index in the system of Gilmour as taught by Legh. The motivation being to enable the user to focus on searching data and having the results in short time.

Regarding claims 9 and 20, all the limitations of these claims have been noted in the rejection of claims 1 and 11, respectively. In addition, Gilmour /Legh disclose: further comprising an act of refraining from comparing the second list of document identifiers with the first list of document identifiers when the second list of document identifiers cannot reduce the first list of document identifier (col. 6, lines 11-18, Legh).

Regarding claim 12, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Gilmour/Legh disclose: further comprising an act of returning the subset list of document identifier to a user (col. 10, lines 25-31, Gilmour).

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Regarding claim 13, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Gilmour/Legh disclose: wherein the act of including an identifier in the context index further comprises an act of building the content index (col. 9, lines 51-58, Gilmour).

Regarding claim 14, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Gilmour/Legh disclose: wherein the act of focusing the first list of document identifiers further comprises an act of scooping the search based on the scope restriction (col. 18, lines 2-6, Gilmour).

Regarding claim 15, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Gilmour/Legh disclose: wherein the identifier is a folder identifier (col. 23, lines 5-9, Gilmour).

Regarding claim 16, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Gilmour/Legh disclose: wherein the identifier is unique across the content index (col. 9, lines 35-39, Gilmour).

Regarding claim 18, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Gilmour /Legh disclose: wherein the act of focusing the first list of document identifiers further comprises an act of intersecting the second list of document identifiers with the first list of document identifiers (col. 20, lines 42-46, Gilmour).

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Regarding claim 19, all the limitations of this claim have been noted in the rejection of claims 11. In addition, Gilmour disclose: wherein the act of focusing the first list of document identifiers further comprises an act of identifying matching document identifiers from the first list of document identifiers and the second list of document identifiers, wherein the matching document identifiers are included in the subset list of document identifiers (col. 6, lines 11-14, Gilmour).

Regarding claim 21, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Gilmour/Legh disclose: wherein the act of refraining from comparing the second list of document identifiers with the first list of document identifiers when processing only the first list of document identifiers is more efficient (col. 20, lines 47-55, Gilmour).

Regarding claim 22 all the limitations of this claim have been noted in the rejection of claim 11. In addition, Gilmour/Legh disclose: a computer readable medium (615, Fig. 23 and corresponding text, Gilmour) having computer executable instructions for performing the acts (620, Fig. 23 and corresponding text, Gilmour).

5. Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this

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application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CN

Cindy Nguyen
October 3, 2002


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